



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

March 25, 2019

Sent Via Email

Beryl Lipton
MuckRock News
DEPT MR 70835
411A Highland Ave
Somerville, Massachusetts 02144-2516
Email: 70835-22060882@requests.muckrock.com

Dear Mr. Lipton:

This letter is in response to your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of March 25, 2019, assigned #19-00610-FOIA, for:

“The following materials related to the funding, staffing, and activities of this FOIA office:

*****Budget materials*****

For the years 2017, 2018, and 2019, all budget materials or plans applicable to offices responsible for processing and response to FOIA requests and appeals submitted to this Bureau and its offices.

*****Staffing orders/reports/contacts*****

For the years 2017 and 2018, staffing reports and plans, including the count of employee numbers and for offices responsible for processing and responses to FOIA requests and appeals submitted to this Bureau and its offices. If this report is available in a form that includes the total number of hours worked for FOIA personnel, that version would be preferred.

- If reports are available for each month, that version is preferred.

- According to this agency's “About Us” website (<https://www.doi.gov/foia/About-Us>):

“The Department has decentralized its FOIA operations among 13 bureaus and offices, each of which has a Bureau/Office FOIA Officer leading its separately managed and resourced FOIA Program. Secretarial Order 3244 (November 12, 2002) anchored Bureau/Office FOIA Offices within their respective CIOs' Offices. That order was superseded by Secretarial Order 3309 (December 14, 2010), which replaced Bureau/Office CIOs with Assistant Directors for Information Resources and initiated a series of significant ongoing organizational changes as part of the Department's IT Transformation.

Bureau/office FOIA Officers are responsible for tracking, managing and responding to FOIA requests for records in their organization's possession and control, and administering their organization's FOIA programs. In addition to Bureau/Office FOIA Officers, some bureaus/offices also have Regional FOIA Coordinators and Field Offices that process requests. Some bureaus/offices have their program offices (i.e., the offices whose records are the subject of the requests) prepare the responses to FOIA requests. These responses are reviewed by the FOIA Officer or Regional FOIA Coordinator and the appropriate FOIA attorney (when the decision is to withhold information, make a discretionary release, or deny a fee waiver).”

--->>> All staffing reports and plans for the year 2019

- If reports are available for each month, such a version is preferred.

--->>> Contact information, including email addresses and phone numbers (if available), for each FOIA officer currently tasked with an open public records request.

*****FOIA requester categories*****

For the years 2017 and 2018, the designated category of each requester of a FOIA request to this office, including those assigned to the following categories:

- commercial;
- educational and noncommercial scientific institutions;
- representative of news media requester;
- all other requesters

- If this information is kept in an aggregate form including the number of requesters by fee category by year, a copy of this report will suffice to fulfill this element of the request.

*****FOIA fee waivers*****

For the years 2017 and 2018, the number of fee waivers granted by this office and, if available, the tracking numbers for the FOIA requests to which waivers were granted

*****FOIA fee collection*****

For the years 2017 and 2018, any report capturing the following information:

* Total estimated processing and copy fees quoted to FOIA requesters

* Total processing and copy fees collected by this Bureau from each fee category

- If this information is kept in an aggregate form, such as a FOIA log, that material would be sufficient to satisfy the bullet points “FOIA requester categories” and “FOIA fee collection” if it captures the following information:

- FOIA tracking number
- requester fee category
- amount processing and copy fees associated with the request
- the status of the requester’s payment for the request*

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.”

Extension of Time

To ensure the most equitable treatment possible of all requesters, the CDC processes requests on a first-in, first-out basis, using a multiple track system based upon the estimated time it will take to process a request. Based on your description of the records you are seeking, your request has been placed in the complex track. We will be unable to comply with the twenty-working-day time limit in this case, as well as the ten additional days provided by the statute because we expect that we will have to:

Consult with another office or agency that has substantial interest in the determination of the request.

In an effort to process your request promptly, you may wish to narrow the scope of your request to limit the volume of potentially responsive records. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact our FOIA Public Liaison at 770-488-6277. Additionally, you may contact the Office of Government Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services; National Archives and Records Administration; 8601 Adelphi Road-OGIS; College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Fee Category

The FOIA and HHS FOI regulations allow agencies to recover part of the costs of processing FOIA requests. There may be a charge for these records. You have been classified as a: News Media Requester and as such, you will not be charged fees unless you elect to receive any responsive records in hard copy (10 cents/page). The cut-off date for your request will be the date the search for responsive records is initiated by program staff.

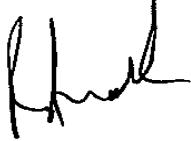
You may check on the status of your case by going to our FOIA webpage at www2a.cdc.gov/od/foiastatus and entering this number. If you have any questions regarding your request, please contact Irma Diaz at 770-488-6310.

We reasonably anticipate that you should receive documents by September 21, 2019. Please know that this date roughly estimates how long it will take the agency to close requests ahead of your request in the queue and complete work on your request. The actual date of completion might be before or after this estimated date.

Appeal Rights

If you are not satisfied with the response to this request, you may administratively appeal by writing to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue, Suite 729H, Washington, D.C. 20201. Please mark both your appeal letter and envelope “FOIA Appeal.” Your appeal must be postmarked or electronically transmitted by June 23, 2019.

Sincerely,



Roger Andoh
CDC/ATSDR FOIA Officer
Office of the Chief Operating Officer
Phone: (770) 488-6399
Fax: (404) 235-1852